

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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**DR. GERALD FINKEL, as Chairman of the  
Joint Industry Board of the Electrical Industry,**

**BROOKLYN OFFICE**

**Plaintiff,**

**ORDER**

**- against -**

**No. 12-cv-1972 (NG) (RER)**

**MID CITY ELECTRICAL CORPORATION  
d/b/a MID CITY ELECTRIC CORP., JOHN  
HOLZER, and TERRIC MCFARLIN,**

**Defendants.**  
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**GERSHON, United States District Judge:**

On a total recommended award of \$709,554.96, plaintiff has filed an objection to the reduction taken by Magistrate Judge Reyes of \$233, which arises from his reduction of the paralegal hourly rate from \$90 to \$80. While either rate would be within the reasonable range, I see no reason to disturb Judge Reyes' reliance on those Eastern District cases awarding \$80 in similar cases.

Under Rule 72 of the Federal Rules of Civil Procedure, I now adopt Judge Reyes' recommendations in their entirety and direct the Clerk of Court to enter a default judgment against defendants Mid City Electrical Corporation d/b/a Mid City Electric Corp., John Holzer, and Terric McFarlin, jointly and severally, in the total amounts of:

- i. \$374,626.50 in Unpaid Contributions;
- ii. \$86,790.25 in the unpaid Stipulation balance;
- iii. \$8,093.26 in interest on all Unpaid Contributions plus \$31.01 in per diem interest;
- iv. \$1,131.01 in interest on late-paid contributions;
- v. \$14,626.60 in interest on the Stipulation plus \$30.26 in per diem interest;

- vi. \$219,690.81 in liquidated damages; and
- vii. \$4,596.53 in attorneys' fees and costs.

An additional \$61.27 in per diem interest running from February 9, 2013, until the date of entry of this Order shall be awarded.

Default judgment shall be entered against only Mid City Electrical Corporation for an additional \$1,000.97 in interest.

**SO ORDERED.**

/ s/Nina Gershon

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**NINA GERSHON**  
**United States District Judge**

Dated: April 24, 2013  
Brooklyn, New York